



## MARINE POWER & EQUIPMENT CO., INC.

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05/14/87

May 14, 1987

Richard W. Schmitt  
Instructor  
Divers Institute of Technology, Inc.  
P. O. Box 70312  
Seattle, WA 98107

Dear Rick:

I'm sending you my request by letter so you can review and answer it as soon as you can after you return from Florida. I understand from Richard and Pete Woock that you were able to complete your preliminary dive survey at both Fox and Lake Union prior to your trip to Florida and that you agree with the EPA diver that there is no sand at Fox Avenue.

I was also told that you only found about three cubic feet of sand at Lake Union located at the ends of the open drydocks and not more than one or two inches deep. In the places where the EPA diver thought he found sand, you found either mud or coal. <sup>I MADE NO ESTIMATE AS TO YARDAGE.</sup>

I have agreed with the EPA attorney, Monica Kirk, that the simplest way to resolve this issue may be for you to contact the EPA diver directly and arrange to dive with him at Lake Union so the two of you can come to an understanding "diver-to-diver" about what he saw and why he thinks it's sandblast grit. His name is Mike Matta; his phone number is 442-1904. You should call him directly to arrange a time suitable for both of you, but as soon as possible. Monica and I thought that would be easier than to have to make these arrangements through third parties, especially since they would be lawyers. <sup>I SAID (SOME) NOT (THE) PLACES</sup>

I anticipate one of three results from this joint dive. Either you convince him that there is very little sand, he convinces you that he is right, or you agree to disagree. All the company asks is that you come to your own, independent conclusion and let us know what it is and why. If you agree with Mike that there's lots of sandblast grit, or if you two cannot agree, we will probably need to make arrangements for pictures (or videos) and sampling.

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SHIP CONSTRUCTION

REPAIR

CONVERSION

DRYDOCKING



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We will also need to have formal reports or statements. If you don't have any convenient way to prepare them, let me know and I will do it for you. Of course, you would have complete control over what the reports say and you would not be expected to sign them unless you agree that they reflect your opinion truthfully and accurately.

Please do not hesitate to call me (632-1441) if you have questions or problems. The company is anxious to complete these studies as soon as possible.

Thanks for your assistance.

Very truly yours,

MARINE POWER & EQUIPMENT CO., INC.

Ruth A. Nelson  
Associate General Counsel

RAN:js  
cc: Richard C. Woeck  
Peter F. Woeck, II